

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Criminal No. 18-62(1)(DSD/KMM)

United States of America,

Plaintiff,

v.

**ORDER**

Shari Ann Natysin,

Defendant.

This matter is before the court upon the objection by defendant Shari Ann Natysin to the August 28, 2018, report and recommendation (R&R) of United States Magistrate Judge Katherine Menendez. Based on a review of the file, record, and proceedings herein, and for the following reasons, the court overrules the objection.

**BACKGROUND**

The background of this matter is fully set forth in the R&R, and the court incorporates those facts by reference.<sup>1</sup> The magistrate judge recommended that the court deny Natysin's motion to suppress evidence resulting from the January 10, 2018, search of her home. The magistrate judge also recommended that the court deny her motion to dismiss the indictment. Natysin objects only to the recommendation relating to her motion to suppress.

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<sup>1</sup> Defendant does not object to the facts as set forth in the R&R, only the application of those facts to the law.

## DISCUSSION

The court reviews the report and recommendation of the magistrate judge de novo. 28 U.S.C. § 636(b)(1)(C); Fed. R. Crim. P. 59(b); D. Minn. LR 72.2(b).

Natysin objects to the Magistrate Judge's recommendation that the court deny her motion challenging the admissibility of the evidence seized during the search of her home. Natysin argues that she is entitled to relief because the search warrant was overly broad and vague.

The court has carefully reviewed the R&R, the parties' memoranda of law, and the evidence submitted at the suppression hearing. Based on that review, the court finds that, for the reasons set forth in the R&R, the search warrant was sufficiently particularized to pass constitutional muster under the circumstances presented. As a result, the objection is overruled.

## CONCLUSION

Accordingly, **IT IS HEREBY ORDERED** that:

1. The R&R [ECF No. 40] is adopted in its entirety;
  2. Defendant's objection to the R&R [ECF No. 42] is overruled;
  3. Defendant's motion to suppress [ECF No. 25] is denied;
- and

4. Defendant's motion to dismiss [ECF No. 26] is denied.

Dated: September 26, 2018

s/David S. Doty  
David S. Doty, Judge  
United States District Court